



**HOROWITZ
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September 11, 2020

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square, Courtroom 618
New York, NY 10007

MEMO ENDORSED

Re: *United States v. Jose Rivera*
Docket No. 18-Cr-744 (KPF)

Dear Judge Failla:

Together with Richard B. Lind, I represent Jose Rivera in the above matter, who is presently scheduled to be sentenced on Wednesday October 7th at 3:00 PM. I write to request an approximate 45-day adjournment of sentencing, to a date in either late November or early December, that is convenient to the Court. The government, through AUSA Michael Longyear, consents to this request.

The ongoing COVID-19 pandemic has, to date, presented a number of difficulties in preparing for Mr. Rivera's upcoming sentencing proceeding. Mr. Lind and I have been unable to meet with Mr. Rivera in order to discuss facts pertinent to our sentencing submission. We also need additional time to gather documents that are relevant to Mr. Rivera's sentencing.

We thank the Court for its consideration. Should the Court require any further information, please do not hesitate to contact my office at any time.

Our continuing best wishes to the Court and your staff.

Respectfully submitted,

Joshua J. Horowitz
Richard B. Lind

JJH/

cc: All counsel (via ECF)

Application GRANTED. Defendant's sentencing is hereby ADJOURNED to December 10, 2020, at 3:00 p.m. Defendant's sentencing submission is due on or before November 25, 2020, and the Government's sentencing submission is due on or before December 2, 2020.

Dated: September 11, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE